

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT NEW HAMPSHIRE

<p>JON DANOS,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>FRONTIER PROFESSIONAL BASEBALL, INC.,</p> <p style="text-align: center;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Civil Action No. 1:23-cv-00321-SM</p>
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MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF

Pursuant to the Model Rules of Professional Conduct (“MRCP”) Rule 1.16(b) and New Hampshire Rules of Professional Conduct Rule 1.16(b), Plaintiff Jon Danos’s counsel Stanley E. Woodward, Jr. moves to withdraw from representation in this matter. Mr. Woodward has consulted with Plaintiff Jon Danos, who understands the potential consequences of Mr. Woodward’s withdrawal and approves of Mr. Woodward’s withdrawal as counsel in this matter. Mr. Woodward’s legal partner, Stan M. Brand, will transition into a role as lead counsel on behalf of Mr. Danos.¹ Mr. Brand has been involved in the representation of Mr. Danos in this matter since its inception.

The operative rules state that counsel may withdraw from representation if any one of seven categories are met. *See* N.H. Rules of Professional Conduct 1.16(b)(1)-(7). For this matter, categories (1) and (7) are met. First, withdrawal can be accomplished without material adverse

¹ An associate attorney, Mark. P. Nobile, is also likely to remain involved in this matter. Mr. Nobile has been involved in the representation of Mr. Danos in this matter since its inception. Local New Hampshire counsel, Jeremy T. Walker, is also likely to remain involved in this matter. Mr. Walker has been involved in the representation of Mr. Danos once the complaint was finalized and filed in the New Hampshire state court system.

effect on the interests of the client. *See id.* at 1.16(b)(1). As stated herein, Mr. Brand will transition into the lead counsel role currently held by Mr. Woodward. Mr. Brand has been practicing law consistently since 1974. Mr. Brand has practiced various types of law and represented various clients throughout the years; most notably, Mr. Brand served as general counsel to the U.S. House of Representatives under Speaker Thomas P. O'Neill from 1976 to 1983.² Further, the procedural posture of this case allows Mr. Brand to transition to lead counsel seamlessly: the parties have just agreed to extend discovery deadlines and trial will now be set for a date at least nine (9) months out from this motion. Mr. Brand's involvement in this matter, combined with the procedural posture of the case, ensures that Mr. Woodward's withdrawal will be accomplished without any negative effect on the interests of Mr. Danos.

Other good cause for Mr. Woodward's withdrawal also exists. *See* N.H. Rules of Professional Conduct Rule 1.16(b)(7). For the Court's awareness, President-elect Donald J. Trump has announced that he intends to appoint Mr. Woodward to serve as Assistant to the President and Senior Counselor in the upcoming presidential administration.³ Relevant statutes and case law state that a presidential appointee must prioritize a smooth transition into such role, including taking the "appropriate actions" to "avoid or minimize any disruptions" to the presidential transition. 3 U.S.C. 102 note, § 2; *see also United States v. Cisneros*, 169 F.3d 763, 764 (1999) (citing U.S. CONST. amend. XX, § 1) ("For a smooth transition, the selection of potential nominees, the investigations of their backgrounds, and the adjudications of their security clearances must begin *well before the President takes the oath on January 20th.*") (emphasis added). Mr. Woodward's unique situation and the necessity to prioritize important federal

² *See* Stanley M. Brand, THE FEDERALIST SOCIETY, <https://fedsoc.org/contributors/stanley-brand> (last visited Jan. 15, 2025).

³ *Statement of President Donald J. Trump*, Trump Vance 2025 Transition, Inc. (Jan. 4, 2025), <https://www.trumpvancetransition.com/s/trump-announces-additional-wh-staff->.

functions serve as further good cause for this Court to grant the instant motion and allow Mr. Woodward to withdraw as counsel for Mr. Danos in this matter.

CONCLUSION

For the reasons contained herein, Mr. Danos respectfully requests that this Court grant Mr. Woodward's Motion to Withdraw from representation in this matter.

Respectfully submitted,

PLAINTIFF

JON DANOS

By His Attorneys

MCLANE MIDDLETON, PROFESSIONAL
ASSOCIATION

Dated: January 19, 2025

/s/ Jeremy T. Walker
Jeremy T. Walker, NH Bar No. 12170
900 Elm Street, P.O. Box 326
Manchester, NH 03105-0326
(603) 628-1431
Jeremy.walker@mclane.com

/s/ Stanley E. Woodward, Jr.
Stanley E Woodward, Jr. (admitted Pro Hac Vice)
Brand Woodward Law, LP
400 5th Street N.W., Suite 350
Washington, D.C. 20001
202-996-7447 (telephone)
202-996-0113 (facsimile)
stanley@brandwoodwardlaw.com

Counsel for Plaintiff Jon Danos

CERTIFICATE OF SERVICE

I hereby certify that on Sunday, January 19, 2025, a true and correct copy was electronically filed through the CM/ECF system, which also transmitted a true and correct service copy of the foregoing motion upon all counsel of record in the instant case.

THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT NEW HAMPSHIRE

_____)	
JON DANOS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:23-cv-00321-SM
)	
FRONTIER PROFESSIONAL)	
BASEBALL, INC.,)	
)	
Defendant.)	
_____)	

[PROPOSED] ORDER

Upon consideration of the Plaintiff's January 15, 2025 Motion to Withdraw as Counsel, it is hereby **ORDERED** that the motion is granted.

SO ORDERED.

The Honorable Steven J. McAuliffe
Senior Judge of the United States District Court
for the District of New Hampshire